

PROPOSED AMENDMENTS TO S. 2008

I. Amendments to Section 102

(1) Strike section 102(5) and insert in lieu thereof:

(5) "Criminal justice information" means arrest record information, non-conviction record information, conviction record information, criminal history record information, and correctional and release information pertaining to a citizen of the United States or alien lawfully admitted for permanent residence within the United States. The term does not include criminal justice investigative information or criminal justice intelligence information.

(2) Strike section 102(12) and insert in lieu thereof:

(12) "Criminal justice investigative information" means information associated with a citizen of the United States or alien lawfully admitted for permanent residence within the United States compiled by a criminal justice agency in the course of conducting a criminal investigation of a specific criminal act including information pertaining to that criminal act derived from reports of informants and investigators, or from any type of surveillance. The term does not include criminal justice information nor does it include initial reports filed by a criminal justice agency describing a specific incident, not indexed or accessible by name and, expressly required by State or Federal statute to be made public.

(3) Strike section 102(13) and insert in lieu thereof:

(13) "Criminal justice intelligence information" means information associated with a citizen of the United States or alien lawfully admitted for permanent residence within the United States compiled by a criminal justice agency in the course of conducting an investigation of any individual relating to possible future criminal activity of an individual, or relating to the reliability of such information, including information derived from reports of informants, investigators, or from any type of surveillance. The term does not include criminal justice information nor does it include initial reports filed by a criminal justice agency

describing a specific incident, not indexed or accessible by name and expressly required by State or Federal statute to be made public.

II. Amendment to Section 204

Insert after section 204(b) the following new subsection and redesignate subsection (c) as (d):

"(c) In the interests of promoting all-sources foreign intelligence production, and in order further to implement sections 102(d)(3) and 102(e) of the National Security Act of 1947, as amended, criminal justice agencies may make available criminal justice information, criminal justice intelligence information, and criminal justice investigative information to the Director of Central Intelligence as directed by the National Security Council only where appropriate for foreign intelligence purposes and as provided in subsection (b) of this section. The Director of Central Intelligence shall insure that information received pursuant to this subsection is used solely for proper foreign intelligence purposes."